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Hearing Date: January 19, 2022 at 10:00 a.m.
Objections Due: January 10, 2022

Attorneys for Plaintiff

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MARDEN FAMILY LIMITED PARTNERSHIP, a
Delaware limited partnership; B&C MARDEN LLC,
a Delaware limited liability company; BERNARD
A. MARDEN REVOCABLE TRUST, a Florida
trust; ESTATE OF BERNARD A. MARDEN;
CHARLOTTE MARDEN (aka CHRIS MARDEN),
as trustee and as an individual; PATRICE M.
AULD, as trustee, as personal representative, and as
an individual; and JAMES P. MARDEN, as trustee,
as personal representative, and as an individual,

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04348 (CGM)

NOTICE OF MOTION FOR ENTRY OF ORDER, PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE AND RULES 2002 AND 9019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE, APPROVING SETTLEMENT AGREEMENT

PLEASE TAKE NOTICE that Irving H. Picard (the “Trustee”), as trustee for the liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the substantively consolidated chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, will move before the Honorable Cecelia G. Morris, Chief United States Bankruptcy Judge, whose courtroom is located at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on **January 19, 2022 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, seeking entry of an order, pursuant to section 105(a) of the United States Bankruptcy Code and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure, approving the settlement agreement by and between the Trustee, on the one hand, and on the other hand: (i) Marden Family Limited Partnership and B&C Marden LLC, and (ii) the Estate of Bernard A. Marden, Charlotte M. Marden, Patrice M. Auld, and James P. Marden, as set forth in the motion annexed hereto (the “Motion”).

PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s directive, all hearings will be conducted remotely pending further Order of the Court. All parties who wish to participate in the Hearing must refer to Judge Morris’ guidelines for remote appearances and are required to make arrangements to appear via ZoomGov. For further details on ZoomGov, please call the Courtroom Deputy at (845) 451-6367. Further instructions regarding remote appearances via ZoomGov can be found on the Court’s website at <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>. Pro se parties may participate telephonically in hearings free of charge.

PLEASE TAKE FURTHER NOTICE that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, 355 Main Street Poughkeepsie, New York 12601-3315 by no later than **5:00 p.m. on January 10, 2022** (with a courtesy copy delivered to the Chambers of the Honorable Cecelia G. Morris) and must be served upon (a) Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Esq.; (b) Pryor Cashman LLP, 7 Times Square, New York, New York 10036, Attn: Richard Levy, Jr., Esq.; and (c) Securities Investor Protection Corporation, 1667 K Street, N.W., Suite 1000, Washington D.C. 20006, Attn: Kevin Bell, Esq. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Motion.

PLEASE TAKE FURTHER NOTICE that failure to file timely objections may result in the entry of an order granting the relief requested in the Motion without further notice to any party or an opportunity to be heard.

Dated: December 17, 2021
New York, New York

Respectfully submitted,

/s/ Nicholas J. Cremona

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the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter
7 Estate of Bernard L. Madoff*